

Appl. No. 10/027,533

Amendment Dated February 17, 2004

Reply to Office Action of November 17, 2003

In item 4 of the Office action, the Examiner rejected claims 1, 4-19, and 22-34 as being obvious over Xue et al. (U.S. 5,320,978) in view of Ha et al. (U.S. 5,970,309) or JP 09-289,291 or JP 08-222,711 under 35 U.S.C. § 103(a). As will be explained below, the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, a brief review of the invention as claimed is provided. Claim 1 calls for a method for fabricating a precious-metal electrode for a storage capacitor. The method includes, *inter alia*, the following steps:

providing a substrate;

applying a catalytically inactive insulation to the substrate to form a catalytically inactive insulation region of the substrate;

applying a catalytically active connection region to the substrate, the catalytically active connection region being a precious metal material selected from the group consisting of a precious metal and an oxide of a precious metal;

producing the catalytically active connection region and the catalytically inactive insulation region by one of:

 patterning the connection region, and

 planarizing the connection region and the insulation region; and

depositing selectively the precious metal material on the catalytically active connection region by

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passing an organometallic compound of a precious metal to the substrate at a temperature from 0° to 120°C.

To compare the invention as claimed to the cited prior art, the following chart is provided. The chart is limited to the most relevant references (Hsu, Xue et al., and Ha et al.) JP 09-289,291 and JP 08-222,711, were not included because they were at best redundant of the other references.

Present Invention	Hsu	Xue et al.	Ha et al.
Method for fabricating <ul style="list-style-type: none"> a precious metal electrode for a storage capacitor 	No electrode No capacitor	No electrode No capacitor	No precious metal, instead, refractory metals
The applied catalytically active connection region being a precious metal selected from the group: <ul style="list-style-type: none"> a precious metal oxide of a precious metal 	No region applied, the substrate itself is the active region No precious metal, the substrate is a semiconductive or conductive material	No region applied No precious metal, instead: glass or TEFLON	No precious metal, instead, polysilicon
Producing the catalytically active connection region and the catalytically inactive region by one of: <ul style="list-style-type: none"> patterning the connection region planarizing the connection region and the insulation region 	No patterning the active region as this is the substrate itself No planarizing the active region as this is the substrate itself	No patterning No planarizing	No planarizing the connection and the insulation region
Depositing selectively the precious metal material on the catalytically active connection region <ul style="list-style-type: none"> by passing an organometallic compound of a precious metal to the substrate at a temperature from 0° to 120°C 	No organometallic compound No, temperature of at least 150°C	No selective deposition of organometallic compound 25°C to 180°C	No organometallic compound No temperature disclosed

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The table illustrates the differences between the invention as claimed and the prior art. As admitted by the Examiner, none of the references anticipates the claimed invention.

Moreover, even a combination of the three documents does not anticipate the claimed invention. In particular, no precious-metal electrode for a storage capacitor is taught or suggested by a combination of the references. Furthermore, the references do not teach or suggest a connection region of a precious metal or an oxide thereof.

In addition, none of the cited prior art is concerned with the object of the invention: namely, producing precious-metal electrodes for storage capacitors. Hsu and Xue et al. are not related to storage capacitors or the electrodes thereof, and the teachings of Ha et al. are not concerned with the topic of previous metal storage capacitors that distinguish FRAMS and the like. Thus, in view of the underlying objection of the invention of the instant application (see specification, pages 3-5), one of ordinary skill in the art would not have consulted any of the prior art cited by the Examiner. Accordingly, the rejection based on the combination of references was made out of hindsight.

Therefore, the prior art should not be combined as proposed by the Examiner. Further, *in arguendo*, even if one were to combine the prior art, the claims include distinction not

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taught or suggested by the prior art. Therefore, the invention as claimed is not obvious over the prior art.

Accordingly, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Therefore, claim 1 is patentable over the art. Moreover, because all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1, 4-19, and 22-34 are solicited. In the event the Examiner should still find any of the claims to be unpatentable, please telephone counsel so that patentable language can be substituted.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees that might be due with respect to
Sections 1.16 and 1.17 to the Deposit Account of Lerner and
Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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